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DECISION



**THE COMPTROLLER GENERAL
OF THE UNITED STATES
WASHINGTON D.C. 20548**

R. Berger
Proc II

FILE: B-163355

DATE: February 23, 1977

**MATTER OF: Hugh J. Dolan
William S. Green**

**DIGEST: General Accounting Office does not consider
"protests" concerning propriety of grant
awards.**

Hugh J. Dolan and William S. Green challenge the award of a grant by the Environmental Protection Agency (EPA), Region III, to the County Council of Sussex County, Delaware, for 80 percent of the estimated costs for a sewer ocean outfall.

The thrust of the challenge is that the project is unnecessary and that it is in violation of Section 101(a)(1) of the Federal Water Pollution Control Act of 1972, P.L. 92-500, 86 Stat. 815, which provides that:

"It is the national goal that the discharge of pollutants into the navigable waters be eliminated by 1985."

The General Accounting Office, upon receipt of complaints from prospective contractors, "will undertake reviews concerning the propriety of contract awards made by grantees" pursuant to grants awarded by Federal agencies, in order to "foster compliance with grant terms, agency regulations, and applicable statutory regulations." 40 Fed. Reg. 42406 (1975). However, "[i]t is not the intent of the General Accounting Office to interfere with the functions and responsibilities of grantor agencies in making and administering grants." 40 Fed. Reg. 42406, *supra*, and for that reason this Office does not consider individual complaints concerning the propriety of a particular grant award.

Accordingly, we must decline to consider this matter. However, your letter will be retained for appropriate consideration in connection with our on-going audit reviews of EPA programs.

Paul G. Dembling
General Counsel